UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,475	09/24/2001	Gilbert Moineau	SWA-001-US	8088

7590 03/14/2005	EXAMINER
Piper Marbury Rudnick & Wolfe	PATEL, ASHOKKUMAR B
1200 Nineteenth Street N W	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 03/14/2005

Piper Marbury Rudnick & Wolfe
1200 Nineteenth Street N W
Washington, DC 20036-2412

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/830,475	MOINEAU, GILBERT
	Examiner	Art Unit	
	Ashok B. Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 September 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/22/02</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Application Number 09/830, 475 was filed on 09/24/2001. Claims 1-10 are subject to examination.

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Danknick (US 6, 021, 429).

Referring to claim 1,

The reference teaches a network modem device comprising an integrated mechanism for dynamically assigning network addresses on a network (col.1, lines 37-40, "Accordingly, there exists a need for a system of maintaining a list of device addresses for a LAN which does not require the addition of a separate server to the LAN." Thereby the reference teaches to have an integrated mechanism such that the need for the server is eliminated.), the network modem device being characterized in that (col.1,

lines 41-47, Fig.1, element 9, NIB, thereby the reference implies that the NIB can be

implemented anywhere in LAN, i.e. network as an integral part of the network device.) it

comprises:

a controller circuit detecting a presence of a dynamic address assignment server

on the network; an interrupter disabling said integrated mechanism when said controller

circuit detects said server (col.2, lines 11-24), and

a memory store of unknown used addresses; wherein said integrated mechanism

comprises: a start-up mechanism checking the availability of addresses on the network

and placing used addresses in said memory store of unknown used addresses (col.7,

lines 45-51, "In a preferred embodiment of the present invention, when NEB 2 is

controlled to operate as the list manager for LAN 1, NEB 2 maintains a list of device

addresses in DRAM 36. By storing the list of device addresses in a volatile memory,

which erases the list when the device powers-down, NEB 2 ensures that an up-do-date

list of device addresses will be maintained for LAN.")

an address manager selecting new addresses not included in said store of

unknown used addresses, and removing addresses from said store of unknown used

addresses when a client having one of said addresses in said store of unknown used

addresses requests a dynamically assigned address (col.3, lines 38-64, note: col.4,

lines 37-50, The reference teaches "The network device includes a memory which

stores a device address of the network device and process steps for execution by a

processor, and which can store the list of device address for the LAN, a LAN interface

which interfaces to the LAN, over which communications are transmitted to an received

from the LAN, and a processor which executes the process steps stored in the memory

(1) to determine whether a list manager is operating on the LAN, (2) to control the

network device to operate as a slave on the LAN when the processor determines that a

list manager is operating on the LAN, and (3) to control the network device to operate

as the list manager for the LAN when the processor determines that no list manager is

operating on the LAN." Thereby the reference insists that the entire process is

automated by NIB of Fig.1.)

Referring to claims 2 and 3,

The reference teaches the device according to claim 1, wherein said network modem

device is a digital network modem, and wherein said network modem device is

an ISDN modem. (col.1, lines 41-47, Fig.1, element 9, NIB, thereby the reference

implies that the NIB can be implemented anywhere in LAN, i.e. network as an integral

part of the network device.)

Referring to claim 4,

The reference teaches the device according to one of claims 1 to 3, wherein said

integrated mechanism provides a DHCP server function. (col.7, lines 45-51, "In a

preferred embodiment of the present invention, when NEB 2 is controlled to operate as

the list manager for LAN 1, NEB 2 maintains a list of device addresses in DRAM 36. By

storing the list of device addresses in a volatile memory, which erases the list when the

device powers-down, NEB 2 ensures that an up-do-date list of device addresses will be

maintained for LAN." , col.2, lines 1-10, col.4, lines 37-50, The reference teaches "The

network device includes a memory which stores a device address of the network device

and process steps for <u>execution by a processor</u>, and which can store the list of device address for the LAN, a LAN interface which interfaces to the LAN, over which communications are transmitted to an received from the LAN, and a processor which executes the process steps stored in the memory (1) to determine whether a list manager is operating on the LAN, (2) to control the network device to operate as a slave on the LAN when the processor determines that a list manager is operating on the LAN, and <u>(3) to control the network device to operate as the list manager for the LAN when the processor determines that no list manager is operating on the LAN.</u>" Thereby the reference insists that the entire process is automated by NIB of Fig.1.)

Referring to claim 5,

The reference teaches the device according to claim 4, wherein said controller circuit broadcasts a DHCP discover message on the network and listens to a response to detect said presence of said server. (col.2, lines 24-28)

Referring to claim 6,

The reference teaches a method of enabling/disabling a mechanism for dynamically assigning network addresses on a network, said mechanism being integrated into a network modem device (col.1, lines 37-40, "Accordingly, there exists a need for a system of maintaining a list of device addresses for a LAN which does not require the addition of a separate server to the LAN." Thereby the reference teaches to have an integrated mechanism such that the need for the server is eliminated., col.2, lines 11-24), the method comprising:

detecting a presence of a dynamic address assignment server on the

network; and disabling said integrated mechanism when said server is detected (col.2,

lines 11-24);

checking the availability of addresses on the network after power on and

loss of memory of previously dynamically assigned addresses; storing the used

addresses in a store of unknown used addresses(col.7, lines 45-51, "In a preferred

embodiment of the present invention, when NEB 2 is controlled to operate as the list

manager for LAN 1, NEB 2 maintains a list of device addresses in DRAM 36. By storing

the list of device addresses in a volatile memory, which erases the list when the device

powers-down, NEB 2 ensures that an up-do-date list of device addresses will be

maintained for LAN.");

selecting new addresses not stored in response to a request for a dynamically

assigned address; and removing an address from said store of unknown used

addresses when a client having one of said addresses is said store of unknown used

addresses requests a dynamically assigned address (address (col.3, lines 38-64, note:

col.4, lines 37-50, The reference teaches "The network device includes a memory which

stores a device address of the network device and process steps for <u>execution by a</u>

<u>processor</u>, and which can store the list of device address for the LAN, a LAN interface

which interfaces to the LAN, over which communications are transmitted to an received

from the LAN, and a processor which executes the process steps stored in the memory

(1) to determine whether a list manager is operating on the LAN, (2) to control the

network device to operate as a slave on the LAN when the processor determines that a

list manager is operating on the LAN, and <u>(3) to control the network device to operate</u>

as the list manager for the LAN when the processor determines that no list manager is

operating on the LAN." Thereby the reference insists that the entire process is

automated by NIB of Fig.1.)

Referring to claims 7 and 8,

Claims 7 and 8 are claims to the method claims that are carried out by the device of the

claims 2 and 3. Therefore, claims 7 and 8 are rejected for the reasons set forth for the

claims 2 and 3.

Referring to claim 9,

Claim 9 is a claim to the method claim that is carried out by the device of the claim 4.

Therefore, claim 9 is rejected for the reasons set forth for the claim 4.

Referring to claim 10,

Claim 10 is a claim to the method claim that is carried out by the device of the claim 5.

Therefore, claim 10 is rejected for the reasons set forth for the claim 5.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the

references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing responses,

to fully consider the references in entirety as potentially teaching all or part of the

claimed invention, as well as the context of the passage as taught by the prior art or

disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (703) 305-2655. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp
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JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100